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**RECEIVED**

**JUN 26 2001**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**

**DOCKET FILE COPY ORIGINAL**

June 26, 2001



Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Notification of Subscriber Transfer  
CC Docket No. 00-257

Dear Madam Secretary:

Pursuant to Section 64.1120 of the Commission's Rules, this letter provides notification of the planned transfer of certain Houston, Texas local exchange subscribers of OpTel to Southwestern Bell Telephone Company (SWBT). SWBT will provide all transferred subscribers local exchange and local toll services. Each affected subscriber will have at least 30 days notice prior to the transfer. SWBT will begin transferring affected subscribers that have not selected an alternative provider beginning July 26, 2001.

SWBT certifies that it has provided advance subscriber notice in accordance with section 64.1120(e)(3). Further, SWBT has and will comply with the obligations specified in the notice and any other applicable statutory and Commission requirements. The notification letter is attached hereto.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Davida M. Grant", with a stylized flourish at the end.

Davida M. Grant

Attachment

No. of Copies rec'd 014  
List A B C D E

# URGENT!

## NOTICE OF TRANSFER OF TELEPHONE SERVICE

Southwestern Bell Telephone Company ("SWBT") has acquired OpTel's rights to provide your local telephone service and can assist you with your carrier selection for your long distance services.

You have the right to transfer your OpTel telephone services to the alternative service provider of your choice. However, you must make this selection by \_\_\_\_\_ (the "Selection Date").

If you have not transferred your service to either SWBT or another provider by the Selection Date, pending FCC approval, your local telephone service will be transferred automatically to SWBT within the following twenty (20) days (the "Transfer Period").

After the Transfer Period, OpTel will no longer be providing your local and long distance service.

Call SWBT immediately to select new service packages and insure a smooth transition!

### Contact Numbers

Southwestern Bell: 1-877-253-6250 for residential service  
Hours: M-F 8:00 a.m.-7:00 p.m., Sat. 9:00 a.m.-6:00 p.m.

1-888-481-0367 for business service  
Hours: M-F 8:00 a.m.-6:00 p.m.

OpTel: 1-800-487-3320

OpTel has appreciated the opportunity to be your telephone service provider.

Please see the information included in this mailing for important details.

Southwestern Bell



Better Connected To The Future



June \_\_, 2001

**NOTICE OF TRANSFER OF TELEPHONE SERVICE**

Dear OpTel Telephone Customer:

OpTel and Southwestern Bell Telephone Company ("SWBT") have entered into an agreement whereby SWBT has acquired OpTel's rights to provide your local telephone service. Upon receipt of this letter you may transfer your local telephone service to SWBT or any other carrier of your choice. Pending FCC approval, if you have not transferred your service to SWBT or another carrier by \_\_\_\_\_, 2001 (the "Selection Date") **[30 DAYS AFTER THE DATE OF THIS LETTER]**, then within the following twenty (20) day period (the "Transfer Period"), your telephone service will be transferred to SWBT as outlined below in accordance with applicable rules of the Public Utility Commission of Texas ("TPUC"). After the Transfer Period OpTel will no longer provide local or long distance telephone service to the property in which you reside.

You have a choice in selecting your telephone service provider.

**1) If You Select Southwestern Bell for Local Service by the Selection Date:** Please contact SWBT at 1-877 253-6250 for residential service, or at 1-888 481-0367 for business service as soon as possible. SWBT will provide you with the services you request, and will make long distance service available to you from the carrier of your choice. You may be able to retain your existing OpTel phone number with SWBT service. Your customer service representative will confirm your number retention when you call for service. SWBT will not charge its customary new connection fee or any other carrier change charges pursuant to TPUC Substantive Rule 26.130k and FCC Rule 26.1120.

**2) If You Select Local Service from Another Provider before the Selection Date:** Please be aware that if you transfer your service to a provider other than SWBT, you may incur a new connection charge, and you must make arrangements with that service provider to transfer your service prior to the Selection Date.

- a. If you will be keeping your phone # -- If you make arrangements for new service from a service provider other than SWBT and you will be keeping your existing telephone number, then your new provider will contact OpTel to arrange for the transfer of your service -- you will not need to do anything further.
- b. If you will not be keeping your phone # -- If you make arrangements for new service from a service provider other than SWBT but you will not be keeping your existing telephone number, then please contact OpTel at 1-800-487-3320 to schedule the disconnection of your existing telephone service and the discontinuation of further billing.

**3. If You Do Not Select A Local Service Provider by the Selection Date:** If you have not transferred service to either SWBT or another provider by the Selection Date, your local telephone service will be automatically transferred to SWBT during the Transfer Period, in accordance with the applicable rules of the TPUC. Services will be provided to you as follows:

- a. Local Services -- SWBT will provide approximately the same local services, including local toll calls, as you were receiving with OpTel, at SWBT's approved rate structure.

b. Long Distance Services

- 1) OpTel Long Distance Customers -- **If you used OpTel for long distance, please call SWBT at the phone numbers listed in Part 1 above to select the long distance carrier of your choice, after the transfer of your local service. You will not have long distance service until you select a carrier.**
- 2) Long Distance Customer of Another Carrier -- If you used a long distance carrier other than OpTel, you will receive the same service from the same carrier.
- 3) If you have a preferred carrier freeze which prevents unsolicited changes on your local toll and/or long distance service, and have not contacted SWBT or another provider by the Selection Date, the freeze will be lifted and your local toll and long distance service transferred according to this section. You must contact SWBT to arrange for the freeze protection to be reinstated after the transfer.

c. Service Adjustments -- You may make adjustments and changes to your service from SWBT at any time by calling the 800 numbers listed above for business and residential customers.

After the payment of your final bill to OpTel, any deposits or credits that may be due to you from OpTel will be sent to you within 30 days following the discontinuation of your telephone service. OpTel will no longer make any new changes to your OpTel phone service.

OpTel appreciates the opportunity to have been your telephone service provider. SWBT is eagerly looking forward to serving your communications needs! If you have any questions regarding your OpTel telephone service or the transfer of your service, please direct any questions you may have to OpTel at 1-800-487-3320. OpTel will work with you to attempt to resolve any outstanding issues involving its service. If you have any questions about your future telephone services or features from SWBT, please contact SWBT at 1-877 253-6250 for residential service, or at 1-888 481-0367 for business service.

Sincerely,

**OpTel**

**SWBT**

## **SWBT'S TERMS AND CONDITIONS OF LOCAL SERVICE**

As a service to our customers, and in compliance with requirements of the Public Utility Commission of Texas, SWBT wants to provide you with the following information concerning the terms and conditions of service.

- Depending on your location, your residential local telephone service will be billed at a monthly rate between \$8.33 - \$11.23 for Southwestern Bell's touch-tone one-party flat rate service. Touch-tone Lifeline service is billed at a rate of \$2.68 - \$4.23. Depending on your location, your business local telephone service will be billed at a monthly rate between \$26.55-\$29.45 for Southwestern Bell's touch-tone one-party flat rate service.\*
- If you decide to order any additional services, a full description of each product or service you order will be identified on your bill. For additional information, you may reference the EasyOptions section of your Southwestern Bell Telephone directory or visit our Web site at [www.swbell.com](http://www.swbell.com).
- Charges for late payment and returned checks – For residential customers, a late payment charge of \$2.95 is applicable on all residence bills if charges greater than \$10.00 are carried over to the next bill, as is referenced in the Payment Information section of the telephone bill. For business customers, a late payment charge of 5% is applicable if payment is not made by the next bill date as referenced in the Payment Information section of the telephone bill. There is a \$25.00 charge for returned checks. If late payment or returned check charges are applicable, they can be found in the Other Charges section and Monthly Statement section of the telephone bill.
- Deposits and advance payments – If a deposit or advance payment is later required to continue local telephone service with Southwestern Bell, the advance payment will appear in the Monthly Statement section of your telephone bill and the deposit will appear in the Payment Information section of your telephone bill. Information on interest accrual and refund of deposit can be found in the "Your Rights as a Customer" section of the Southwestern Bell Telephone directory.
- Telephone number assignment changes - Your correct telephone number will be reflected on your telephone bill.
- You may terminate your service at any time, subject to a minimum one-month's billing as set forth in our tariffs.
- Applicable minimum contract service terms and early termination fees – If you have a signed a contract for a minimum term, you should have received a contract with the terms, conditions and applicable termination fees. If you have not received this contract, please call us at 800-499-7928.

\* Rates for Southwestern Bell's touch-tone, 1-party flat-rate line and for Southwestern Bell's touch-tone, Lifeline service vary by location.